THE EXAMINER.

No. 301. SUNDAY, OCT. 3, 1813.

THE POLITICAL EXAMINER.

Party is the madness of many for the gain of a few. SWIFT.

No. 292.

A MAXIM OF LAW.

"He who can not pay in purse must pay in person."

In a case of private libel, tried during the last Westminster Sittings, one of the Jury thought proper to ask what the circumstances of the Defendant were?—To which my Lord ELLENBOROUGH replied, "That no evidence on that head had been given, but that the Jury had nothing to do with his circumstances.—If he or any other individual in the country," his Lordship added, "was libelled, would it be just or right, that the libeller should hold up his poverty as a shield to protect him?—There was a maxim in the Law, that *he who could not pay in purse must pay in person.*"

My Lord KENYON,—a man not very remarkable for his dispassionate conduct or enlightened principles,—was the first Judge, we believe, who warmly enforced this "Maxim of Law:" and it will not obtain, we imagine, any further respect than it will be found to merit, by being adopted by the present CHIEF JUSTICE; who certainly, however he may surpass the former Judge in general capacity, cannot boast any high degree of superiority on the score of temper.

But as this "Maxim of Law" is now acted upon, it appears to us to be extremely unjust and pernicious.—It is the boast of the English Law, that it is founded on the basis of a rigid impartiality:—but if a Jury are not permitted to ascertain the property of a convicted Defendant, how is it possible that this impartiality can prevail in their sentence?—A Noble Marquis, for example, is found guilty of a breach of the laws, is sentenced to be imprisoned four months, and is fined 5000*l.*—At the expiration of that term, he draws a check upon his banker, and is forthwith discharged.—This may be all extremely proper: but let the case be that of a poor man, whose sole dependance for support is on his own active industry:—such a person violates the law in a similar degree: he is also found guilty, fined, and imprisoned.—Without supposing that this "Maxim of Law" is so rigidly acted upon, that the Court makes no distinction whatever in the punishment, let us conclude that this offender is fined 500 instead of 5000*l.* and then we will ask any man of common sense and humanity, whether such two persons, who have been alike guilty, receive an equal portion of punishment?—The rich man enjoys all the comforts which money can obtain, phys the fine on the proper day, and when discharged, returns to his estates, which have not been at all injured by his temporary absence.—The poor man, while in confinement, has to struggle with all the evils of poverty, rendered doubly severe by the necessity he labours under of raising a sufficiency to meet the fine; and in the mean time, it is ten to one but his business is much injured, if not entirely ruined, by his absence.—But how often does it occur, that the poor man cannot pay the fine; in which case—(and this is the case which this Law Maxim provides for)—says my Lord ELLENBOROUGH, he must *pay in his person*;—that is, he must lie in a jail till he dies, or till some unexpected event puts a period to his sufferings; for it must be remembered, that the Acts of Insolvency which are so frequently passed (and which very frequency, by the bye, shows the great imperfection of the present Debtor and Creditor Laws) do not apply to persons confined under the sentence of the Courts.

It is much to be feared, that the constant habit of sentencing offenders to fine and imprisonment begets in the Judges an indifference or callousness to the sufferings of the parties. Men who enjoy all the luxuries of life, who have never known what it is to be poor, and still less what it is to have imprisonment added to poverty,—even though they may be naturally of a benevolent disposition, cannot be the fittest judges of the miseries they inflict on their fellow-creatures by a severe sentence of imprisonment.—Perhaps not one of our Judges ever narrowly inspected the jails into which this denomination of offenders are thrown; which are, chiefly, Newgate, the King's Bench, and the Fleet. As for Newgate, we are informed, that it is generally so crowded, that a decent room cannot be obtained without a very heavy payment; and its dirty condition is represented as a disgrace to all who are concerned in its superintendance. The King's Bench and Fleet Prisons are frequently as crowded, and always as dirty; and the extortion practised in these places calls loudly for the interference of the Legislature.—Without entering into particulars, it is manifest that the system is radically bad, from this single fact, that the Keeper of the King's Bench Prison obtains from the prisoners an income of ten thousand pounds per annum! * And from whom is this princely fortune raised? Chiefly from the most afflicted of human beings, who, instead of being enabled to live upon their slender pittance as cheaply as possible, absolutely pay higher prices for the common ne-

* The LORD CHIEF JUSTICE of the Court of King's Bench appoints this Officer, who, it is understood, pays a large premium for the place. What the exact sum is, only one of the parties most likely could tell; and therefore it is impossible even to guess how many additional groans are excited, and tears called forth, in order that a CHIEF JUDGE may live in a palace and give splendid dinners.—It is indeed sad work, when great Officers of State have an interest in perpetuating extortion and accumulating misery.

cessaries and conveniences of life than those who have every advantage of liberty and property.—*Ten thousand a-year* for the Keeper of a Prison!—This simple statement is abundantly sufficient to mark the hideous nature of the system; as not less than nine-tenths of this enormous sum are obtained by indirect means, and form no portion of the proper salary of the Marshal.

If my Lord Ellenborough and his brother Judges would occasionally spare a few hours, for the purpose of personally inspecting the prisons, we cannot but think that they would be milder and more discriminating in their sentences, and that they would see the propriety of improving the general state of such places. These visits, however, must not be visits of form,—a superficial walk through those mansions of sorrow and despair—those "caverns of oblivion," as Johnson indignantly terms them.—No; a mere glance at them, on a stated day,—a hasty survey, in all the parade of magistracy,—would only serve to increase those erroneous notions respecting the inmates of a prison, which seem already to be much too generally entertained.—It is true, there will always be a certain number of persons among a multitude, whose loose and extravagant conduct would evince that the condition of imprisonment has little in it of horror. But it is not fair to judge of the whole from such a specimen. The wretched shun the light: they avoid the common gaze, and fix themselves in silent and obscure corners, where they may at once conceal their shame and misery. Some dozens of unthinking and incorrigible persons, who attract attention by their noisy mirth and low pursuits, ought not to give a character to the thousands now in confinement for debt and for political and private legal offences. An impartial and exact scrutiny would soon discover, that there are numberless prisoners of those descriptions, who are really objects of the greatest pity. Such persons are not to be discovered among the idle crew. In their confined and unwholesome abodes, aged and unhappy parents may be seen lamenting over their offspring—respectable wives watching the sick beds of their husbands—children partaking of the scanty meal of their afflicted parents,—and that meal, perhaps, procured by the sacrifice of some necessary piece of raiment. In a word, it would exhibit their fellow-creatures suffering under all the various inflictions of poverty, anguish, and despair. This is not an imaginary picture, but a common and every-day scene; and if the sight would not touch and soften the hearts of men high in office, God keep our children and our friends from an elevation, which narrows or shuts out altogether the best feelings of humanity.

> "——————— Take physic, Pomp,
> "Expose thyself to feel what wretches feel,
> "That thou may'st shake the superflux to them,
> "And shew the heavens more just."
>
> SHAKESP. *King Lear.*

But we are gravely asked, "Would it be just or right, that the libeller should hold up his poverty as a shield to protect him?"—Now would it not be supposed from this, that some very absurd person had put in a plea of poverty as a defence against a charge of libel? Nothing, however, can be further from the fact; and we can hardly deem it commonly fair in a Judge, to put forth a foolish argument as if advanced in extenuation, and then solemnly reply to and refute it, in a place where all remonstrance is necessarily impossible. So far from poverty being deemed a shield for the libeller, we never heard of even one solitary instance of such a defence. All that is contended for is this,—that when a man is to be fined, it is the *duty* of the Court to apportion the sum to the ability of the party,—to make a proper distinction between rich and poor,—in order that even-handed justice may be administered to each. If a poor man can show that he is unable to pay the fine inflicted, let the term of his imprisonment be fixed;—that is, let it be legally settled how much longer he is to be deprived of one chief blessing, because he already wants another.—This would certainly be paying in person and not in purse, yet in a way which no just man could object to; but to be condemned to an indefinite term of imprisonment, according to the present mode, appears to us to be a signal outrage upon law * and justice, as well as a lamentable violation of humanity.

This is, however, only one bad part of an unsound whole. It is universally admitted, that our legal edifice, like other ancient and ill-arranged public structures, is a very unseemly pile. Its intricate and narrow passages, its perplexing windings and dark bye-ways, its ruins and its rubbish, all proclaim that it is high time the huge patchwork should give place to a better work.

* MAGNA CHARTA expressly says, that *excessive* fines shall not be levied. That certainly must be deemed excessive, however small, which a man cannot possibly pay.—At this moment, as we perceive by an advertisement in the Dublin papers, there is a person in confinement in Ireland for a political libel, whose term (two years) has expired, but who cannot pay the imposed fine, and therefore still languishes in jail.

FOREIGN INTELLIGENCE.

FRANCE.

PARIS, SEPT. 20.—On the 12th instant the following intelligence was published at Milan from the Army of Italy:—

"We have received accounts from the head-quarters of the Army of Italy to the 9th. An Order of the Day had been published, to express to the troops the Prince's satisfaction with their conduct at the taking of the entrenchment of Fusteiz, under the command of Lieut.-Gen. Count Grenier. The General of Brigade, Schmidt, Colonel Rigot, commanding the 84th regiment of the line, and the Chief of Battalion Fontenille, of the 7th regiment, are particularly mentioned. The young soldiers rivalled the most brave among the old in courage. All the corps maintained their ancient reputation."

The *Moniteur* of the 21st contains a long report from Captain Le Roux, of the privateer Le Renard, of 14 guns and 50 men, dated the 14th, and addressed to the Maritime Prefect of Cherbourg, stating, that he sailed from

Isle de Bas on the 8th, with wind west; that at four P.M. Starpointe was seen; that on the 9th a sail was seen to windward, which proved to be an enemy's golita, and which he engaged within pistol-shot for some time, when he attempted to carry her by boarding, and was repulsed with loss; a desperate close action then took place, the French Captain and three of his Lieutenants were wounded, when the golita blew up, and every soul on board perished.—The French had 5 killed, and 31 wounded. The name of the vessel which blew up is not mentioned.

PARIS, SEPT. 24.—Her Majesty the Empress Queen and Regent has received the following intelligence from the army, dated the 13th of September, 1813:—

"The Emperor's head-quarters were at Dresden. The Duke of Tarentum, with the 5th, 11th, and 3d corps, was placed upon the left bank of the Spree. Prince Poniatowski, with the 8th corps, was at Stolpen. All these forces were thus concentrated on the right bank of the Elbe, within a day's march of Dresden. Count de Lobau, with the 1st corps, was at Nollendorf, in advance of Peterswalde; the Duke of Treviso, at Pirna; Marshal St. Cyr, on the heights of Borna, occupying the debouches from Furstenwalde and Geyersberg; the Duke of Belluno, at Altenberg. The Prince of Moskwa was at Torgau, with the 4th, 7th, and 12th corps. The Duke of Ragusa and the King of Naples, with General Latour Maubourg's cavalry, were marching upon Grossen-Hayn. The Prince of Eckmuhl was at Ratzeburg.—The enemy's army of Silesia was on the right of the Spree. That of Bohemia, the Russians and Prussians, in the plain of Tœplitz, and an Austrian corps at Marienberg. The enemy's army of Berlin was at Juterbock.—The French General Margeron, with a corps of observation, occupied Leipsig.—The castle of Sonnenstein, above Pirna, had been occupied, fortified, and armed.—His Majesty had given the command of Torgau to Count de Narbonne.—The four regiments of Guards of Honour were attached;—the first, to the Mountain Chasseurs of the Guard; the second, to the Dragoons; the third, to the Horse Grenadiers; and the fourth, to the first regiment of Lancers. Those regiments of the guard will furnish them with instructors; and whenever they march to battle, be joined to old soldiers, by whom they will be guided, and whose skeletons they will reinforce. A squadron of each regiment of Guards of Honour will always perform the duty about the Emperor, with a squadron furnished by each regiment of the Guards, which will carry the number of squadrons on duty to eight."

Her Majesty the Empress and Queen has received the following intelligence from the army, of the 17th of September, 1813:—

"On the 14th the enemy debouched from Toeplitz upon Nollendorf, to turn the division Dumonceau, which was upon the height. This division retired in good order upon Gushabel, where Count de Lobau collected his corps. The enemy having wished to attack the camp of Gushabel, was repulsed, and lost many men. On the 15th the Emperor left Dresden, and marched to the camp at Pirna. He directed General Mouton-Duvernet, Commander of the 42d division, by the villages of Langenhenersdorf and Bera, thus turning and thereby turn the enemy's right. At the same time Count de Lobau attacked him in front: the enemy was led *l'epée dans les reins*, all the rest of the day.—On the 16th the enemy still occupied the heights beyond Peterswalde. At noon we began to pursue him, and he was dislodged from his position. General Ornano made some fine charges with the division of cavalry of the guard, and Prince Poniatowsky's Polish light horse. The enemy was driven back into Bohemia in the greatest disorder. He made his retreat with so much activity, that we were only able to take some prisoners from him, among whom is General Blucher, who commanded the advanced guard, and son of the Prussian General in Chief Blucher.—Our loss was trifling. The Emperor slept at Peterswalde on the 15th, and on the 17th returned to Pirna.—Thielmann, a General who deserted from the Saxon service with a corps of partisans and deserters, has marched upon Saal. An Austrian Colonel has also, as a partisan, marched upon Colditz. Generals Margaron, Lefebre Desnouettes, and Piré, are gone with columns of cavalry and infantry in pursuit of these parties, hoping to give a good account of them."

PARIS, SEPT. 26.—Her Majesty the Empress Queen and Regent has received the following intelligence from the army, dated 19th September:—

"On the 17th, at two o'clock in the afternoon, the Emperor mounted on horseback, and in place of going to Pirna, proceeded to the advanced posts. Having perceived the enemy had prepared a great quantity of fascines (*abattis*) to defend the descent from the mountains, his Majesty ordered him to be attacked by Gen. Duvernet, who with the 42d division seized upon the village of Arbesan, and drove the enemy into the plain of Toeplitz. He was charged with manœuvring in such a manner as to thoroughly reconnoitre the enemy's position and oblige him to unmask his forces. This General perfectly succeeded in executing his instructions. He engaged in a brisk cannonade without cannon shot, and which did little injury; but an Austrian battery of 24 pieces, having left its position to approach Duvernet's division, Gen. Ornano ordered it to be charged by the red lancers of the guard; they took these 24 pieces and sabred all the artillery-men, but were only able to bring off the horses, two pieces of cannon, and an advanced train (*avant train*).—On the 18th, Count de Lobau remained in the same position, occupying the village of Arbesan, and all the debouches from the plain. At four o'clock in the afternoon the enemy sent a division to surprise the height above the village of Keinitz. This division was repulsed, *l'epée dans les reins*, and fired at with grape-shot during an hour. On the the 18th, at nine in the evening, his Majesty arrived at Pirna, and on the 19th Count de Lobau again resumed his positions before Hollendorf and the camp of Giesberbel. The rain fell in torrents.—The Prince of Neufchatel is a little indisposed by an access of fever.—His Majesty is very well."

Marshal the Duke of Valmy has received at Mayence a courier from Dresden, charging him to make it known at Paris, that up to the 19th September nothing new had occurred at the army, and *that it was possible some time might elapse before a courier was expedited*, so that they might not be astonished if they were some days without receiving intelligence.

GERMANY.

VIENNA, SEPT. 9.—The Emperor, on the 5th instant, gave Lord Aberdeen, Ambassador Extraordinary from Great Britain to our Court, a first audience, at which his Lordship had the honour of presenting his credentials.

NUREMBERG, SEPT. 12.—An army of reserve is assembling in the Grand Duchy of Wurtzburg. It is already very considerable, and daily receives reinforcements: it has a superb cavalry. We do not yet know its destination. Hitherto it has been distributed in cantonments.

AUGSBURG, SEPT. 13.—The posts continue to arrive here very regularly from the Tyrol, which proves that that country is very tranquil.

MUNICH, SEPT. 15.—All the attempts hitherto made by the enemy to excite troubles in the Tyrol have been ineffectual. The Austrian General Hillier has caused incendiary Proclamations, which have produced no effect, to be distributed through it, and a person named Speikbacher, one of the former insurgents of 1809, has dared to address to several Bailliwicks a letter with the same intent. The Commissary General Baron de Herrhefeld has only replied to it, by offering a reward of 1000 ducats to whoever should deliver Speikbacher up, dead or alive. The last

accounts from Inspruck state that every thing remained tranquil in that town.

Brunswick, Sept. 15.—We are assured that the Emperor of Morocco has declared war against Sweden.

Laybach, Sept. 15.—The enemy had marched upon Fiume and threatened Trieste. He at the same time presented himself by the routes of Neustadt and Citti. The taking of the entrenchments of Seistriz and Label, allowed his Highness the Viceroy to march on the 10th to Laybach, from whence he directed Gen. Pino, with some brigades, upon Adelsberg. This movement at the same time threatened Trieste and Fiume, and the enemy did not hesitate retiring from the neighbourhood of Trieste to cover Fiume, by concentrating himself upon Lippa, in an entrenched position.—On the 12th September the Viceroy pushed forward a strong reconnoissance to Saint Marien, upon the road from Neustadt to Karlstadt; the enemy was found in a position that commanded a marshy plain, which could only be crossed by a causeway; mountains, covered with wood, of a considerable extent, supported his flanks. His Highness took a position, and after having reconnoitred the ground, on the 13th ordered some movements, which had for their object the turning of the enemy's position. Scarcely had his Highness returned to Laybach when he dispatched General Pino orders to carry the position of Lippa. This General on the 14th executed this order with much intrepidity. The enemy had on this occasion 300 men killed or wounded; about 100 prisoners, and one piece of cannon, were taken from him. The Archduke Maximillian was present in this affair. General Nugent commanded the Austrian troops.—On the 14th, the Viceroy went to St. Marun, to attack the enemy, who perceiving the movements taking place upon his flanks, abandoned the position he occupied, and that of Weichselbourg, two leagues further, and retired without wishing to fight. He lost 10 officers and 40 men, who were made prisoners. He had about 180 men killed or wounded by the fire of the tiralleurs. The position which the Viceroy took at the conclusion of this affair, was about three leagues beyond Weichselbourg.

Sept. 17.—His Serene Highness the Prince Viceroy having left some battalions in the position of Weichselbourg, withdrew the other troops from it, for the operations he meditated. The enemy seized that moment to attack in force the troops which were in Weichselbourg; they shewed a good countenance during several hours; they came in contact with the bayonet, and the grenadier company of the 67th regiment overthrew every thing opposed to it. Nevertheless, it was requisite to cede to a force very superior in infantry, supported by cavalry, as well as by the favour of the woods and mountains; the enemy had directed some columns in the rear of those troops. A retreat was ordered, and effected with order to Saint, two leagues in the rear of Weichselbourg. The enemy made about 100 prisoners, after having killed us some 60 men. He also lost many men, and we have made prisoners.—On the side of Istria, General Pino, after having, on the 13th, carried the position of Lippa, on the 14th marched a column upon Fiume, where our troops entered a few moments after the division, under the orders of General Nugent had, in the greatest disorder, left it. On that day, we took two pieces of cannon and nearly 300 prisoners.

Frankfort, Sept. 19.—The following trait, which recently happened in the town of Bayreuth, and the authenticity of which we will guarantee, will give an idea of the facility with which timid men allow themselves to be duped by every adventurer possessing the least audacity:—In the beginning of September an Austrian hussar alone entered Bayreuth; he announced the immediate arrival of 1,500 men, and demanded that all the malefactors confined in the prisons of that town should be set at liberty: it was refused; he threatened, and at last the Authorites of the town had the weakness to grant him the setting at liberty, which he then demanded, of a woman. He took up this woman behind him, and disappeared; but it was soon known that this terrible partisan was a robber, the lover and accomplice of the woman, who disguised himself as an Austrian hussar to deliver her.

DENMARK.

Elsineur, Sept. 7.—Direct hostilities between Denmark and Sweden commenced on the 2d. A convoy of merchant vessels, accompanied by some Swedish ships of war, set out from Malmoe to pass the Sound. The commander, Jessin, had orders to make an attempt to make them pay the usual duty at Cronenburg, conformably to treaties. As soon as the division of this commander had taken a position proper for his purpose, a Swedish frigate and nine gun-boats fired their broadsides; at the same time a Swedish ship of the line and two schooners arrived from the south. The Commander, seeing the Swedes determined to pass without paying the dues, took a position upon the Danish side, and endeavoured by some vessels sent forward, to cut the ships off from the convoy. The united force of the wind and current did not admit of the gun-boats acting efficaciously, whilst it assisted the Swedes in rapidly getting through the passage. A Swedish merchant-ship was, however, driven upon the Swedish coast, where it was burnt; a Swedish gun-boat received some thirty balls; but in general this affair could be attended with no consequences, because the Danish Commander had express orders to wait till the Swedes began the fire.

Copenhagen, Sept. 10.—The official Gazette announces, that the Danish auxiliary corps, combined with the Prince of Eckmuhl's corps, has taken a concentrated position, where it is waiting for orders to advance. The troops have supported the glory of the Danish arms. The hussars and Jutland dragoons distinguished themselves in an attack against an enemy's corps superior in numbers.—We learn from Gottenburgh, that during all the summer the Swedes have shewn such an ardour in taking, although in full peace, vessels laden with corn destined for Norway, that the English Admirals even have been indignant at it. The English granted licences to vessels proceeding to Norway; the Swedes refused to respect them, and on more than one occasion the English Commandants were obliged to employ force to arrest the depredations exercised by their Allies. The Admiralty of London constantly released all Danish vessels taken in this manner. The Captains of those carried to Gottenburgh addressed complaints to the English Admiral stationed at Wingoe, and upon these serious representations an order was given to release them, but a cabal of Swedish pirates retarded the publication of that order till the time for which the licenses were granted had expired. The Swedes have raised great outcries against the English, and pretend that the secret orders by which the English Admirals act shew a desire on

the part of England to render abortive the projects of Sweden against Norway.

COPENHAGEN, SEPT. 16.—Chevalier Klaumann has addressed to Baron and Commander de Holstein the following Report, dated the 4th instant:—

"I was attacked yesterday morning before Besum, where I was at anchor with 7 gun-boats, by 10 English gun-boats and 4 boats. Not being able to perform any evolutions, on account of localities, I remained in the position where I was. A very brisk fire lasted from eleven to half past three, within cannon shot. Then the enemy's boats retired, after having lost many men.—Two of these boats were in danger of sinking, and the others were obliged to tow them off. They were soon after joined by three enemy's gun-boats; but notwithstanding this reinforcement, they dared not to renew the attack.—All my boats were more or less damaged. It was impossible for me to pursue the enemy. We had 7 men killed and 16 wounded, among whom were 10 dangerously. My gun-boats can be repaired in a few days. The enemy is at anchor within 1½ miles distance, with 11 gun-boats; the two others cannot be discovered, and it appears certain they have been sunk.

"*Besum, Sept.* 4. "KLAUMANN."

His Majesty has expressed his satisfaction to this officer, and the sailors under his orders.

SPAIN.

SARAGOSSA, SEPT. 3.—The French garrison in the fortress of Jaca continues strictly blockaded, and is reduced to the greatest extremity by the want of meal. It had reason to repent of the attempt it made to escape; and must give way to circumstances, or perish.

VALENCIA, SEPT. 7.—We are ignorant of the last movements of Lord Bentinck, in Catalonia. It is circulated, with much appearance of probability, that the enemy's garrison of Sagunto is suffering under a disease, which is peculiar to it. It appears, that all the flying divisions are to reinforce the Pyrennean army. We are assured, that General Whittingham, with the Spanish troops under his command, will take the same direction. We are persuaded that Lord Wellington will have 160,000 men, with 10,000 horse, when he receives all the Spanish and British force destined to that point.

WEST INDIES.

Most distressing accounts were received on Wednesday from various parts of the West Indies, respecting the dreadful effects of a late hurricane which occurred in that quarter. The following is extracted from a Bermuda paper of the 1st of August:—

"*Nassau, Sunday, Aug.* 1, 1813.

"It falls to our lot to record the most dreadful calamity by which these Islands have been ever afflicted in the memory of man, and which was experienced in the tremendous hurricane with which it pleased Providence to visit them on Monday the 26th ult. The dawning of that day exhibited a serenity, calculated to lull to sleep the fears of the most wary; and the breeze freshening on the sky, it was hailed by all as a happy relief from the extreme sultry heat of the atmosphere, which had pressed heavily and unnerved us on the preceding days: but no one saw the approaching storm which lowered behind it.—At ten o'clock the wind increased, and continued increasing, accompanied by short showers of rain. It gained considerably in the course of an hour; at eleven it blew a strong gale, and some of the shipping in the harbour appeared uneasy at their anchorage; but it was not until twelve o'clock that it attained the height which constitutes the commencement of an hurricane, and which soon became evident by its destructive effects upon the waters and upon the shore. Some of the vessels in the harbour were driven from their moorings, and houses began to totter upon their foundations.—The Courts of Chancery and Admiralty, then sitting, were of necessity adjourned: his Excellency the Governor, and the Members of the Council, in Chancery, and in Admiralty, the Judge, the Lawyers, and officers of court, having for some time awaited an abatement, now anxious for their families' safety, were compelled to literally fight their way on foot through the storm, the use of carriages having already become impracticable. The bay was soon crowded with merchants, ship-owners, mariners, and labourers; all busily employed in endeavouring to save lives and property, from the vessels which were driven from their moorings; and every householder, with what assistance he had at hand or could obtain, was employed in fortifying his house against the fury of the raging element, by nailing up and battening doors and windows. But alas! how vain the attempts of man to resist the storm of nature! At about half-past two o'clock the hurricane attained its greatest height, and in its *acme* continued, without interval, until five, when it suddenly ceased; and in the space of half an hour succeeded a calm, so perfect, that it can be compared only to that of death after the most dreadful convulsions.—It was now that the effects became visible. Lives were lost in vain attempts to protect themselves or to save. The Government-house, the greater part of the other public buildings, a great number of other houses, the wharves, the orchards, and gardens were found either wholly or partly destroyed; and all the vessels in the harbour, excepting only Mr. Saunders' schooner Ellena, and the prize brig Santa Anna, were driven on shore or sunk in the harbour. A scene of ruin presented itself to the view of the beholder, distressing beyond measure to all men not totally bereft of the last spark of glimmering humanity.—The inhabitants of the colony, well knowing the nature of hurricanes, took every precautionary measure within their reach during the calm, or lull, to prepare for its second part expected from the south-west, and which set in with great fury at about six o'clock, and continued until midnight, when it considerably abated, and soon after totally ceased. The south west storm differed from the north-eastern one by appearing in heavy blasts of a few minutes' duration, repeated after lulls of equal length and the length of these lulls gradually increasing, until it so ceased; whereas the first storm raged without intermission. This last, however, nearly completed the general ruin, and it is believed that if it had raged another hour, scarcely a house would have remained standing in this city, which, before the storm, was considered, in proportion to its size and population, to be one of the most wealthy and the most flourishing in the world.—One third of the houses have been levelled to the ground; and all have received more or less injury. Property of all description has suffered. Years must elapse ere the losses and injuries sustained can be repaired. Hundreds of families, heretofore comfortable, have been reduced to beggary and want.—On the morning after the hurricane, the Governor walked round the city, and having witnessed the destruction and misery it had occasioned, felt it his duty to relieve the sufferers. Immediately upon his return to the Government House, his Excellency summoned his Council, in order, with their advice, to devise the most effectual means to effect his purpose. A meeting was also had of the Members of Assembly; and all coinciding in the humane views of the Governor, it was soon determined to grant a sum of money for that purpose, which they mutually pledged themselves to confirm at the next Session, in the three several branches of the Legislature in General Assembly."

PROVINCIAL INTELLIGENCE.

ABERDEEN, SEPT. 25.—The Circuit Court of Justiciary was opened here on Wednesday last, by the Right Hon. Lord GILLIES, when *John Roger*, some time servant to Alexander Collie, farmer, was accused of the crime of bigamy, he having first married Margaret Innes, with whom he frequently cohabited and corresponded with her as his wife—the said Margaret Innes, and the said John Roger, having, during that period,

visited, and being publicly considered and held to be husband and wife; he the said John Roger did, nevertheless, afterwards marry Mary Mitchell. The prisoner pleaded *Not Guilty*, denying the first marriage, and admitted the last. John Innes, father of Margaret Innes, stated, that he considered his said daughter as the lawful wife of the prisoner.—*The Rev. John Daun* stated that, in 1805, the prisoner and Margaret Innes were called before him and the other members of the Kirk session of Insch for the purpose of being rebuked and fined as fornicators; that, on this occasion, he addressed Margaret Innes, and said, that he was confident, from her demeanour and general good character, that she would not have surrendered her virtue to the prisoner without a previous promise of marriage from him: to which she answered, that she had not done so, for that he had promised her marriage. Mr. Daun then observed, that perhaps he repented now? and the prisoner said, that he did not repent, and was willing to marry her. Upon which Mr. Daun instantly declared them both married persons, and proceeded to deliver the usual prayer at the dismissing the Session; at which time the prisoner was about to say something, and called out, "Ay, but ——." Mr. Daun, however, proceeded with prayer; and, when he had concluded, the prisoner told him, that he, nor no other man should marry him against his will. Mr. Daun then stated, in explanation, that he had not married the prisoner and Margaret Innes, but that he considered them as being so by the law of Scotland.—His Lordship then addressed Mr. Daun, in terms expressive of his firm belief of Mr. Daun's good intentions, in proceeding as he had done; but that he felt it his duty to inform him, that he had acted rashly in declaring a marriage, without first having the full, deliberate, and unequivocal consent of both parties.—The Jury returned a verdict of *Not Guilty*.

EXECUTION OF DANIEL M'CRORY.—The public have been already informed, that this character was found guilty, at the last Cumberland Assizes, of a burglary at Bird House, where he headed a gang of several desperadoes, and that the charge was clearly proved against him by the testimony of Gavin (an accomplice), and Mrs. Gibson.—M'Crory on Saturday fortnight suffered the awful sentence of the law on a drop erected at the south-east angle of the gaol. The unhappy culprit, who, we understand, is descended of very respectable parents in Ireland, had been for some years past generally known in this city and neighbourhood: this circumstance, together with his bold and daring conduct subsequent to apprehension, and an expectation that at the place of execution he might make important disclosures, drew together a very great concourse of people. A large body of constables attended to keep order, assisted by a troop of the 2d Dragoon Guards, and the 74th regiment of Foot.—About half-past three, the criminal appeared upon the scaffold, attired in black, accompanied by the Rev. Mr. Marshall, a Roman Catholic Clergyman, of which communion he himself professed to be. The manner in which he appeared at the fatal tree excited every one's astonishment. He ascended, not only without the slightest degree of trepidation, but with alacrity, bowing around to the assembled multitude in a manner which seemed to impress the idea of a "favourite stage-player about to act his part." He then produced a paper, from which he read a denial of several crimes which had been perpetrated in the neighbourhood for eighteen months last. He, however, acknowledged his being concerned in the burglary for which he was about to suffer; confessed the justice of his sentence, though in some immaterial points he declared the evidence against him was not altogether correct; and forgave his prosecutors, with whom, and with all men, he died in peace.—A distressing scene now ensued. On the drop falling, the rope broke, and the unhappy man was precipitated to the ground, whereby his leg was broken. "I told you," said he, "this rope would never hang a man of my weight." It seems, that he had actually handled the rope before coming out of the gaol, and *remonstrated against its unfitness*. After some delay, he was borne upon the scaffold, in a chair; and another rope being procured, he was again tied up. Notwithstanding the trying scene, he maintained his fortitude—observed that it was providential that the accident of the rope breaking had happened, since he had forgotten to notice the infamous character of Gavin, the King's evidence, who, he said, had sworn many men's lives away; and he feared, would do the like again. When turned off the second time, the rope partly gave way, and it was feared he would come to the ground again; fortunately, this was not the case. After hanging the usual time, the body was cut down, and delivered to his friends.—Though M'Crory, previously to conviction, conducted himself in a very hardened manner, his succeeding behaviour was marked by the utmost resignation and tranquillity. Though we cannot take upon us decidedly to say, that he became a true penitent (that is known to "the searcher of hearts" alone,) he gratefully received the offices of the established and dissenting clergy who visited him; and in the rights of his own peculiar church joined with great fervour. One little circumstance proves that he regarded his awful fate without that dread which the approach of the King of Terrors usually inspires. A few minutes before being led out of the gaol, the sound of the horn announced the passing by of the London mail: "I have not the least wish," said he, "for a reprieve; I feel myself so well prepared to die, that I would be sorry to live." M'Crory was of a very prepossessing appearance, about five feet seven inches high, remarkably robust and well made, of a fair complexion, and his eye sparkled with intelligence. Upon the whole, his appearance and demeanour excited universal commiseration, notwithstanding every one fully justified the sentence of the law. On Monday evening, the body was interred in the burying-ground of St. Cuthbert's, attended by an astonishing concourse of his countrymen and others.—*Carlisle Journal.*

Wednesday se'nnight, *Samuel Evans* and *Thomas Chilcott*, were executed at the new drop, on the front lodge at Ilchester gaol, pursuant to the sentence awarded them at the Bridgewater Assizes. As soon as the Chaplain had performed his last duty to these unfortunate men, and left them on the platform, and the executioner was preparing for his sad office, Evans was taken in so violent a state of agitation and trembling, that it became necessary to support him, when all of a sudden he rallied his spirits, and became as steady and fixed as a statue. He then addressed the spectators in the following words:—"Well, so as I now be going to leave this here blessed world, as innocent as a baby—I be as innocent as a baby—or else I hope the Lord will never let me enter the kingdom of heaven."—In a few seconds after this the drop fell, and never was an unfortunate victim in greater agonies, or struggled with death with greater strength than Evans did for some considerable time, whilst his partner died without a struggle.

AGRICULTURAL REPORT FOR SEPTEMBER.

Harvest is finished in the southern counties, with the exception of beans, which, in some parts, will probably remain abroad throughout next month. In the northern parts of the island the cutting and carting of corn has been as forward as was ever remembered. There have been few more productive years, and never a more propitious season for harvest. It is a general corn year, the crop of wheat beyond all question, considerably superior to that of last year;—rye, barley, oats, beans, and pease, are judged to overtop an average crop. Seeds good. Hops and fruit the worst produce of the season, in consequence fine samples of the former bear a high price. A vast stock of hay on hand, and that of straw very bulky. The dry weather, so convenient for the harvest, necessarily prevented the growth of grass, whence latter math is exceedingly short. The potatoe crops do not yield to expectation upon some of the best lands, but the quality is good. Carrots an abundant crop. The turnips have been long in want of rain, and should the drought continue, that crop will prove short. Both fat and learn cattle lower in price; store pigs dear.

TUESDAY'S LONDON GAZETTE.

Foreign-Office, Sept. 28, 1813.

His Royal Highness the Prince Regent has been pleased, in the name and on the behalf of his Majesty, to appoint the Earl

of Aberdeen, K.T. to be his Majesty's Ambassador Extraordinary and Plenipotentiary to the Court of Vienna; and the Hon. Frederick Lamb, to be Secretary to his Majesty's Embassy at that Court.

BANKRUPTCY ENLARGED.

M. Brogy, George-street, Minories, gun-stock-maker, from Oct. 2 to Nov. 20.

BANKRUPTS.

T. Rudderforth, jun. Newington-causeway, Surrey, stay-maker.
J. Jones, Oswestry, Salop, dealer.
O. Stanley, Pitchcombe, Gloucester, clothier.
E. Sikes, Bolton, roller-manufacturer.
G. Sharpley, Southwick, Southampton, innkeeper.
J. Baker, jun. Nottingham, shoe-manufacturer.

SATURDAY'S LONDON GAZETTE.

This Gazette contains the following Extract of a Letter from Capt. Epworth, of the ship Nymphe, dated Halifax, July 6:—On the 29th ult. off Porth North, returning to Halifax, I fell in with, and captured, the American privateer Thomas, of 12 guns and eighty men.

BANKRUPTCY ENLARGED.

M. and D. Maskery, Hanley, Staffordshire, milliners, from Oct. 9 to Nov. 6.

BANKRUPTS.

J. Barrows, Spalding, Lincolnshire, merchant.
Jos Clegg, Newcastle-under-Line, Staffordshire, mercer.
J. Gaulter, Manchester, druggist.
T. Bulmer, Manchester, dealer and chapman.
R. Towns, Wall's-End, Northumberland, butcher.
J. C. Rawlinson, Lancaster, merchant.
W. Newby, Stockport, basket-maker.
R. Birtles, Birmingham, stationer.
R. Pratt, Coventry, bookseller and printer.
J. Mayhew, Keppel-street, Russell-square, upholder.
J. Fletcher, Oldham, Lancaster, hatter.
R. Stroud, Brentford, baker.
W. Yewens, Somerset-place, Commercial-road, coal-dealer.
R. Gentery, Upper Thornhaugh street, Bedford-square, builder.
G. Giroux, jun. Tottenham-court-road, picture-dealer.
W. Crossman, Union-street, Southwark, currier.

PRICE OF STOCKS ON SATURDAY.

Consols..... 59 58⅞ | Omnium..... 8¼

THE EXAMINER.

London, October 3.

It is very generally believed, that Bonaparte is making attempts to seduce Austria into an Armistice, and from the tone of some of the Ministerial organs, one should rather be inclined to think that such a measure was by no means unexpected.—For some time past,—indeed ever since Austria joined the coalition, the French press has been peculiarly guarded in respect to that Power. Every thing personally offensive has not only been rigidly excluded, but indirect compliments have been offered to the Emperor Francis. At one time we are told, that the Archduke Charles would take no command in a war which he disliked: at another we are informed, that the Austrian Emperor would not sit down to dinner with "the traitor Moreau;" and the *Times* of yesterday asserts it as an undoubted truth, "that shortly after the engagements of the 26th and 27th ult. before Dresden, he wrote a letter with his own hand to the Emperor of Austria, as his father-in-law, to communicate to him the happy intelligence of his being in good health and safety, after two severe engagements *with the Russians!*"—All these things are clearly not accidental; and as it is quite evident that Bonaparte is unable, as heretofore, to carry his point by force of arms, it altogether corresponds with his usual practice, to endeavour to accomplish his end by intrigue and negociation. For almost the first time since he headed a numerous army, he has been compelled to act principally upon the defensive: his plans have certainly failed: and such a state of things must be extremely "unsatisfactory" to a man of his eager temperament.—It seems to us, on the other hand, that the balance of force is so nearly equal, that even the Allies can expect little from the continuance of a contest, which exhausts and destroys to no good purpose. Unquestionably, there are many difficulties in the way of an adjustment; but when greater arise to all parties from the want of it, a common interest generally smooths the path. The campaign has been opened for nearly eight weeks, many sanguinary battles have taken place, and yet the field of combat remains nearly the same. The plans of each party have manifestly failed, and the hopes of success, therefore, by this time, have probably been succeeded by something like feelings of despondency.—If this view of affairs be at all correct, a peace may not be so far distant as many suppose; and a peace, dictated by the universal inability, would in fact offer a better promise of duration than almost any which could be conquered by either side.

The French official accounts,—and we have had hardly any other last week,—are very meagre and partial: they prove, however, that the Allies have not, up to the 19th ult. been able to compel Napoleon to withdraw from Dresden.—Nothing but a great defeat, we imagine, would induce him to retire from the line of the Elbe, and the Allies appear anxious to avoid a general battle.

Of the operations in Spain nothing has been learned during the past week.—Those only who imagined that Lord Wellington's labours were nearly concluded, when the battle of the Pyrenees was gained, will feel surprize on the perusal of the following article from yesterday's *Chronicle*:—

"It does not appear, either from Lord Wellington's late dispatches, or from the Spanish Papers recently received, where was the scene, or what the nature, of Lord William Bentinck's operations. Government, however, are inclined to believe, or have been informed, that his Lordship is employed in besieging Tortosa. Suchet seems to have been aware that such was Lord William's intention, for he lately threw into that fortress a garrison of 5000 picked troops, together with an experienced Officer to take the command, in whose abilities and firmness he had every reason to confide,

And here it may be not uninteresting to state what is SUCHET's opinion of his own situation, and of the possibility of retaining what the French still possess of Spain. An order was hastily sent to him, we believe shortly after the battle of the Pyrenees, by the Provisional Government at Paris, to provide with adequate garrisons such Spanish fortresses as he should deem it most advisable to keep—then to evacuate Spain, and put himself in communication with Marshal SOULT. This order SUCHET hesitated to obey, and in terms respectful and submissive, no doubt, stated his motives and reasons for suspending the execution of it. The Government found his reasons so convincing, and his representations so satisfactory, that they did not enforce the order, but left him, for a time at least, to the guidance of his own judgment. With that part of the instructions, however, which prescribed the due garrisoning of the fortresses, he carefully complied. Tarragona, it seems, he considered to be one which it would require a larger force than could well be spared, to defend; he therefore demolished its defences, knowing it was the anxious wish of the Spaniards to regain possession of it, in order to make it the seat of a depot. SUCHET has with him at Barcelona an army full 30,000 strong; and he holds out hopes that he will be able to bring Lord WILLIAM to an action, and defeat him, *of course*."

The object of the speedy meeting of Parliament is said to be two-fold:—in the first place, to arrange a plan for the increase of the disposable military force; and in the second, to grant the Allied Powers pecuniary aid; without which, it is reported, they cannot increase their exertions against the common enemy, however necessary and urgent.—The cost of maintaining half a million of men in arms must indeed be prodigious; and of the four Allied Powers, one hardly knows which is the poorest:—perhaps Prussia may be so considered, but Austria has been drained by a series of unsuccessful contests—and Sweden and Russia, it is well known, are altogether deficient in the means of carrying on foreign and distant wars.—It is apparent, too, that France, in this contest, must feel a pecuniary pressure to which she has not often been exposed. While the war is confined to the territory of her vassals, the chief expense must fall upon herself, for she cannot levy contributions upon them as she would upon an enemy. Her own resources, it must be confessed, are great, and BONAPARTE evidently cares little for the sufferings of his subjects, so long as he can drag from them the means necessary to carry on his designs.—One thing, however, seems tolerably clear,—that we are advancing to a period when a general peace must ensue, if occasioned by nothing else but mere exhaustion.

A Heligoland Mail arrived on Friday night, by which we have an Order of the Day, published by DAVOUST, dated Zirenthein, the 19th ult. acknowledging the defeat of a [illegible] of his force under the General Division of PECHEUX, [illegible] he had sent to the left bank of the Elbe, to keep [illegible] the allied troops, but who, instead of being able [illegible] his orders, was completely routed on the 16th [illegible] Dalmberg. DAVOUST says PECHEUX was surrounded, [illegible] cleared himself a passage, and brought back all who had not been placed *hors de combat*, but how many men he brought back, or how many he lost, we are not told. A letter from Hamburgh, however, states that the force under PECHEUX consisted of 5000 men, who were nearly cut to pieces, the General and about 200 men only escaping, and that the Russians and Swedes after this affair entered Luneburgh. The same letter mentions the arrival of a number of DAVOUST's corps at Hamburgh, on the 21st, who went on to Haralberg, to which place General ORTON had been previously dispatched in haste.

"Notwithstanding the constant exposure of the mendacious impudence of the London prints, which daily teem with the most palpable falsehoods, they still continue to serve out their daily portion of food for the gratification of the hungry credulity of the public. Thus, for nearly the last fortnight, the *Courier*, the most unprincipled of all the Journals, has kept afloat in all the varieties of inventive duplicity, the report of great and decisive victories having been obtained over the French,—at one time before Dresden, which city was taken with 70,000 of the enemy made prisoners,—at another time of a *further* battle, near Juterboch, with the loss of 60,000 prisoners; and on Monday night last, having become a little more moderate, they simply state, on the authority of an Heligoland Mail, that *Dresden* was taken possession of by the Allies, on the 16th instant. In respect to the first of these reports, it has been long since disproved—of the second, the 12th Bulletin of the CROWN PRINCE shews its fallacy;—and as to the third and last, although the event stated may have taken place, it has, perhaps, more its foundation in the gossip of the Continent, furnished by the Heligoland Mail, than in any authentic intelligence derived from respectable sources. To undeceive the public on these subjects, we are aware is an ungracious task; but we owe it to our consistency of character, which we shall never deem any sacrifice (if any be necessary) too great to encounter, not to administer to a system of imposture and delusion, more pregnant with national mischief than its atrocious supporters have honesty enough to avert, or its superficial victims have penetration to discover."—*Taunton Courier*.

Lord ABERDEEN is appointed Ambassador to Vienna. Sir HENRY WOTTON defined an Ambassador to be, "a man of virtue sent abroad to tell lies for the advantage of his country;"—but he did not explain how a man of virtue could tell lies for any earthly consideration.

Ensign MAGUIRE, who shot Lieutenant BLUNDELL in a duel, and Ensign GILCHRIST, are mentioned in the *Gazette* to have been dismissed the service.

An Order for the Court going into Mourning for her late Majesty the Queen of Sweden, will be inserted in the *Gazette* of Tuesday next.

The following act of bravery and humanity is recorded of a French Officer who was taken prisoner at the surrender of St. Sebastian.—During the heat of the first attempt to storm the town, while the contest was raging in its most furious and deadly form, the French Officer saw an English one (belonging to the Royals) fall wounded to the ground, exposed to the fiercest fire of the artillery. The French Officer's sympathy was excited, and rushing to the spot, through all intervening obstacles, he placed the unfortunate gentleman on his back, and conveyed him safely to the hospital. Lord WELLINGTON, with his accustomed regard for desert, has recommended him to the notice of Government.

The facility with which a very large portion of the people of England are deluded by fallacious statements respecting the state of the war, is not among the least public evils that the well-wishers to their country's prosperity have to deplore. It is, indeed, truly lamentable to observe of late the constant pains and ingenuity exercised by the *Times* newspaper to cherish these fatal delusions in the present war against our imperial enemy, of whose situation and power it is of more consequence for the nation to be kept justly sensible, in proportion as that power is immense and mainly directed to the vital injury of the interests and happiness of England. That Paper is more especially guilty of this practice, by unwarrantably magnifying the losses of the enemy, and heightening the successes of the Allies.

In consequence of charges, not properly authorised, having been introduced by Paymasters in their accounts, they have been informed from the War Office, that they must be responsible to the public, in future, for all amounts of charges made contrary to the regulation.

The difficulty of procuring horses proper for the Life Guards is so great, that the Commanding Officers have been compelled to deviate from the old-establishment of blacks, and to take young horses of different colours.

The Sponsors at the christening of the infant Marquis of Granby are to be her Majesty, the Prince Regent, and the Duke of York; the former by proxy, the latter in person.

At a Court-martial held at Battle Barracks, on the 21st of June, Captain R. Truscott, of the Artillery, was found guilty of having made Gunners Gillespie, Robinson, and many others, pay 2s. per week each, from the 1st of June, 1810, to the latter end of September in the same year, for leave to be excused from all duty excepting church parade on Sundays, and sentenced him to be severely and publicly *reprimanded*.—If Captain Truscott pocketted the money, this punishment appears to be a very inadequate one.

George Siddons, Esq. the youngest son of our celebrated Actress, is the present Governor of Bencoolen. This Gentleman went to India many years ago as a writer in the Company's service, and by his assiduity and merit has raised himself to his present situation.

We understand that the Lord Mayor has summoned a Council for to-morrow, in consequence of a requisition received by his Lordship, "to take into consideration the present high price of bread, which has been kept up in an alarming degree unprecedented after so abundant an harvest, which Providence has been pleased to bestow upon us."

"In America," says Mr. Cobbett, "there is no Assize, either as to *price* or *weight*. Every one sells his bread as men sell other things; and the people purchase where they are best served, in proportion to the price. If they find that one baker supplies them better than another, they deal with him in exactly the same way that they give a preference to one shoemaker before another.—An attempt was made to establish an Assize of Bread at New York; but the bakers having found it necessary to add to the profits on their bread, as a compensation for the additional trouble which the Assize occasioned, the Assize was prudently abandoned, upon the principle that short follies were best."

The advantage resulting from the discontinuance of the Assize of Bread at Bath, begins already to be experienced there, and several bakers are now underselling the others.

The abundant crops with which it has pleased Providence to bless us this season, have already operated on the markets throughout the country. We learn, that any quantity of wheat may be bought in the eastern parts of Cornwall at 12s. a Winchester bushel, and offers are made to deliver wheat of prime quality after Christmas, at 12s. 6d. a bushel.—*Provincial Paper.*

In one of the little Chapels at Naples, there is a picture of St. Michael trampling on Satan. It is observable, that the latter is represented with the face of a beautiful female, and the reason given is whimsical enough. The countenance of the devil is a picture of a very beautiful lady, who unfortunately fell in love with Dionysius Carafa, Bishop of Ariano, who, to shew his abhorrence of her sacrilegious passion, when fitting up this chapel for his mausoleum, ordered the painter to degrade her into the infernal spirit, and place her prostrate under the spear of the Archangel. For the satisfaction of the ladies, I must add (says Mr. Eustace), that this ungallant prelate has not been canonized.—*Eustace's Tour in Italy.*

The inhabitants of Perth were greatly annoyed, on the evening of Monday last, by parties of Militia parading the streets, and knocking down with bludgeons all who had the misfortune to fall in their way. Nay, respectable and unoffending citizens were assaulted even at their own shop doors. The ruffian carnival was renewed on Tuesday. Among others who were attacked on that evening were the Earl of Fife and a Spanish Gentleman, as they alighted from their carriage near the George Inn. The Earl defended himself very dexterously with a good stick, and got into the inn with little hurt, but the Spaniard, who stood aloof from the scuffle, was apprehended by some towns-people, and not being able to speak English well, or to give any account of himself that they could understand, was carried off without ceremony to the low iron-house. He was soon released, however, from this inglorious durance, on the application of the Earl.—*Dundee Advertiser.*

Earthquake.—About a quarter past three o'clock in the afternoon of Friday the 24th ult. a shock of an earthquake was felt very generally by the inhabitants of Stamford, and of the neighbouring towns and villages from West to East. The noise, to those within doors at the time, resembled the falling of furniture in upper rooms, and some persons were sensible of motion from the agitation of the earth. At Ketton, four miles west of this place, it excited considerable alarm; and it was felt at Uppingham, Oakham, Peterborough, Deeping, and most of the intermediate places. The duration of the shock was about two seconds, and the noise accompanying it very loud.

Last week several vigilant Revenue Officers detected a large illicit distillery in full employment, concealed in a remote part of Lord Rosebery's pleasure-grounds, near Queensferry, Scotland; notwithstanding, however, their alacrity, the proprietors of the machinery contrived to carry away the still, but 300 gallons of wash were destroyed, with several working tuns and small casks.

Mr. C. Kemble has been acting with great *eclat* at Liverpool, though he went through the round of characters recently performed by his brother at the same place.

Wonderful Escape.—The Almeira, formerly of New York, foundered on the Banks of Newfoundland in January last, in a severe gale of wind. Captain Gueswold took to his boat, with his men (fifteen in number), without a compass, chart, or any navigable utensils whatever; the wind being a head, and blowing very strong, she put away for the West Indies, and finally arrived at Fayal, with the loss of one man, after being out twenty days from the time he left the Banks, having had several very severe gales of wind in that time. When Captain G. arrived at Fayal, he had not drank a glass of water for three days, and hardly eaten any bread.

On the 8th ult. the sloop Ann and Mary, of Ilfracombe (James Irwin, Master, loaded with coals), in coming out from Llanelly, sprung a leak, when the crew (the master, one man, and a boy) endeavoured to run her on shore, but she sunk at some distance outside of low water. The man and boy, who had previously got into the boat, endeavoured to gain the shore; but the heavy sea soon upset the boat, and the boy was unfortunately drowned: the man succeeded in getting to land; with the assistance of an oar; the master, who had climbed up the rigging, remained there nine hours, expecting every moment to be washed off; but three men, although there was a tremendous sea, ventured with their boat to rescue him from his perilous situation, in which they happily succeeded, when he was nearly exhausted. The boy was not found for two days.

At the sale of the effects of the Reverend Mr. Huntington, on Friday week, at Pentonville, an *old arm chair*, intrinsically worth *fifty shillings*, actually sold for *sixty guineas*; and many other articles fetched equally high prices; so anxious were his besotted admirers to obtain some precious memorial of that artful fanatic.

Subscription for Mrs. Clifford.—The Subscription for the benefit of *Mrs. Clifford* and her children, owing to the exertions of several Ladies and Gentlemen, and chiefly to those of Mrs. B. Goldsmid and Mrs. Tyndale, now amounts, as we are informed, to upwards of *Eight Hundred Pounds*.—We hope that, whatever may be the total sum raised, care will be taken to lay out by far the greater part of it for the exclusive benefit of the poor children; for it does not appear to us that *Mrs. Clifford* has any peculiar claims on the public sympathy.—It will be recollected, that she was not the wife of the deceased, nor was he the father of her children: her connexion with him was a very recent one,—a mere casual rencontre on the road: he appeared to be under no obligation to live with her, and indeed was about to quit her entirely when his murder occurred. In fact, *Clifford's* death has not added in any way to her distresses.—Had *Mrs. Clifford* been unincumbered, we should have deemed a very few pounds quite as much as she merited. As it is, however, her six helpless children are objects deserving the public care; and if the money be devoted principally to *their* benefit, we shall rejoice to hear that it has doubled the above amount.—Those who have so kindly interested themselves in this case, will not, we hope, mistake our meaning: we honour their motives:—Mrs. Goldsmid's active benevolence is the theme of general praise; and nothing can be further from our wishes, than to check for an instant such generous feelings, which, are the chief ornament of human nature, and add a peculiar grace to the female character.

James Leary, on the day previous to his execution, wrote two letters to some friends in Ireland, which he gave a man who called on him in Newgate to forward. Mr. Devereux, the clergyman who attended on Leary, met this man in the prison, and requested to be shewn the letters, which the man accordingly gave him. Mr. Devereux broke open the seals and read them, and afterwards,—rather hastily, we think,—tore both letters into pieces, and threw them away. One of the Turnkeys picked up the pieces; one of the letters he has rendered perfect by pasting it on a sheet of paper; the other letter, being torn into a greater number of pieces, cannot be so well put together. The letter which is rendered perfect is said to be in the hands of Mr. Newman, the Keeper of Newgate.—Had it contained any thing of importance, we suppose it would have been made known before this time.

Union-Hall.—Seven men, belonging to a Liverpool vessel in the River, were brought before Mr. Chambers by Goff and Clark, charged by a descendant of Levi with having assaulted and robbed him of fifteen dozen razors. The complainant stated, that he was a wholesale dealer in cutlery, and in the habit of supplying ships. He went on board the ship in question to inquire if the Captain wanted any of his *keen-edged commodity*. The Captain was not on board; but on his inquiring for the Mate, he came forward, and the prosecutor opened his pack, in which he said were fifty dozen as good razors as ever cleared a beard; but no sooner had he displayed the glittering cargo, than the prisoners, who had previously been busily employed in salting beef, boarded the quarter deck, and fifteen dozen razors disappeared in an instant. It was in vain he remonstrated, and demanded restitution of his property; his remonstrances were laughed at; and he continuing them longer than pleased his auditors, was conveyed from the vessel to the shore in no gentle manner. In consequence of this treatment, he applied to the Magistrate, who sent Goff and Clark to take the offenders into custody, which they did, at the same time searching the vessel for the razors, but without success. The prosecutor, however, was not able to swear to the man who took his property, or who assaulted him; and the Captain now attending, and stating the injury which he should sustain, if half his crew were detained, his vessel being ready to sail; and at the same time offering to make the prosecutor satisfaction, the parties retired, and the business was ultimately settled by the Captain paying 10*l.* to the prosecutor for his razors and his bruises. The prisoners were then, with a suitable admonition from the Magistrate, and a caution to act with more propriety in future, dismissed.

CITY.

The new Sheriffs, Aldermen Magnay and J. C. Marsh, Esq. were on Tuesday sworn into office, at Guildhall.

Wednesday being Michaelmas Day, the Livery proceeded as usual to the election of a Lord Mayor for the ensuing year.—The show of hands being in favour of Alderman Domville and Wood, their names were returned to the Court of Aldermen, when their choice fell upon Alderman Domville, who was accordingly declared duly elected.—The Lord Mayor Elect then came forward and thanked the Livery, declaring that he would carefully watch over and defend their rights and privileges, &c. &c.—Thanks were then voted to the late Sheriffs, with only one dissenting voice, or rather hand.

GENERAL MOREAU.

GENERAL MOREAU, A MADAME MOREAU.

MA CHERE AMIE,—A la Bataille de Dresde, il y a trois jours, j'ai eu les deux jambes emportées d'un boulet de canon—[Ce coquin de Bonaparte est toujours heureux.]—On m'a fait l'amputation aussi bien que possible. Quoique l'armée ait fait un mouvement retrograde, ce n'est nullement par revers mais par décousu, et se rapprocher du General Blucher.—Excusez mon griffonnage. Je t'aime et t'embrasse de tout mon cœur.—Je charge Rapatel de finir. V. M.

MADAME,—Le Général me permets de vous écrire sur la même feuille où il vous a tracé quelques lignes. Jugez de mon chagrin et de ma douleur par ce qu'il vient de vous dire.—Depuis le moment où il a été blessé je ne l'ai pas quitté, et ne le quitterai pas jusqu'a sa parfaite guérison. Nous avons la plus grande espérance; et moi qui le connois, je puis dire que nous le sauverons. Il a supporté l'amputation avec un courage héroique, sans perdre connoissance: le premier appareil a é é levé, et les plaies sont fort belles. Il n'a eu qu'un léger accéde fievre lorsque la suppuration s'est établie, et elle a diminué considérablement.—Vous devez me pardonner tous ces details; ils sont aussi douloureux pour moi à tracer qu'ils le seront pour vous à lire: j'ai eu besoin de courage depuis quatre jours, et en aurai besoin encore. Comptez sur mes soins, sur mon amitié, et tous les sentiments que vous m'avez inspirés l'un l'autre pour le servir: ne vous allarmez pas; je ne puis vous dire d'être courageuse; je connois votre cœur. Je ne laisserai pas une occasion sans vous donner de ses nouvelles. Le Medecin vient de m'assurer que si cela continue d'aller ainsi, dans cinq semaines il pourra aller en voiture.—Adieu, Madame, et respectable amie; je suis bien malheureux. J'embrasse la pauvre Isabelle.—Le plus dévoué de vos serviteurs,

Laun, 30 *Aoust*, 1813. RAPATEL.

1ER SEPTEMBRE.—Il va bien, et est tranquille.

(TRANSLATION.)

MY DEAR LOVE,—At the battle of Dresden, three days ago, I had my two legs carried off by a cannon ball.—That scoundrel Bonaparte is always fortunate.—The amputation was performed as well as possible.—Though the army has made a retrograde movement, it was by no means in consequence of defeat, but from it's hanging loosely together, and in order to get nearer to General Blucher.—Excuse my hasty writing. I love and embrace you with all my heart.—Rapatel will finish. V. M.

MADAME,—The General permits me to write to you on the same subject on which he has sent you a few lines. Judge of my grief and regret by what he has just told you. From the moment he was wounded, I have not left him, nor will I leave him till he is perfectly cured. We have the greatest hopes; and I who know him, am certain we shall save him. He supported the amputation with heroic courage without fainting. The first dressing has been taken off, and the wounds have a good appearance. He had only a slight access of fever when the suppuration took place, and it has considerably diminished. —Forgive these details; they are as painful to me to give, as they will be to you to receive—I have stood in need of all my fortitude for the last four days, and shall still stand in need of it. Rely upon my care, my friendship, and upon all the sentiments with which both of you have inspired me—Don't alarm yourself—I need not tell you to exert your courage. I know your heart.—I will neglect no opportunity to write to you—The Surgeon has just assured me, that if he continue to go on as well, he will be able in five weeks to go out in a carriage.—Madame and respectable friend, farewell—I am miserable. Kiss poor Isabelle for me.—Your most devoted servant,

Laun, *Aug.* 30, 1813. RAPATEL.

SEPT. 1.—He is going on well, and is easy.

EXTRACT OF A LETTER FROM TOPLITZ, SEPT. 4.

"General Moreau died yesterday. He was in the act of giving some opinion on military matters, while passing with the Emperor of Russia behind a Prussian battery to which two French batteries were answering, one in front and the other in flank, and Lord Cathcart and Sir R. Wilson were listening to him, when a ball struck his thigh and almost carried his leg off, passed through his horse, and shattered his other leg to pieces. He gave a deep groan at first, but immediately after the first agony of pain was over, he spoke with the utmost tranquillity, and called for a segar. They bore him off the field on a litter made of Cossacks' pikes, and carried him to a cottage at a short distance, which, however, was so much exposed to the fire, that they were obliged, after just binding up his wounds, to remove him further off to the Emperor's quarters, where one leg was amputated, he smoking the whole time. When the surgeon informed him that he must deprive him of his other, he observed, without shewing any pain or peevishness, but in the calmest manner, that had he known that before his other was cut off, he should have preferred dying. The litter on which they had hitherto conveyed him was covered with nothing but wet straw, and a cloak drenched through with rain, which continued in torrents the whole day. They now placed more cloaks over him, and laid him more comfortably in a good litter, in which he was carried to Dippoldeswalde; but long before his arrival there, he was soaked through and through. He was brought, however, safely to Laun, where he seemed to be going on well, till a long conference, which took place between him and three or four of the Allied Generals, by which he was completely exhausted. Soon after this he became extremely sick, and hourly grew worse. Through the whole of his sufferings he bore his fate with heroism and grandeur of mind not to be surpassed, and appeared to those with whom he conversed to endure but little pain, from his extreme composure and calmness. He died at six o'clock yesterday morning."

MISS STEPHENS.

MR. EDITOR—I am obliged to be under the necessity of contradicting, through the medium of your Journal, paragraphs which have appeared in several papers of last week, stating that the young Lady who then made her *debut* in the character of *Mandane*, at Covent-Garden Theatre, is pupil of Mr. T. WELCH.—As Miss STEPHENS is my pupil, having studied from my theory the elements of singing for five years, and prepared her for the stage, affording her the instructions of Mr. WRIGHT in elocution out of my own pocket, I am sure they were not inserted by the desire of Mr. WELCH. A man of talent (as I believe that Gentleman to be) feels no occasion to deprive a master of his hard-earned labour; and every person of the least musical science, very well knows that a perfect scholar, a singer like Miss STEPHENS, cannot be produced from three or four months of study. Songs of *Mandane*, *Polly* (*Beggar's Opera*), *Rosina* (*Love in a Village*), and other songs, duets, trios, &c. Italian and English, of every style, were all taught by me, and have been sung by Miss STEPHENS (assuming occasionally the name of Miss YOUNG), with the greatest success, at Bath, Bristol, Brighton, Dover, Deal, Worthing, Chichester, Southampton, Ramsgate, Margate, Hythe, Tunbridge Wells, London, in several Ladies' concerts, for three years, and other converts both private and public; and also at the Pantheon eight times in the Italian Opera, *Le Nozze di Figaro*, of MOZART, in which, though her part was trifling, she was always *encored* in the duet with Madame BERTINOTTI, the only piece of music that was *encored* in each evening. She was also tried, and very much approved by Signor GUGLIELMI (the composer), for the first singer at the Opera House, in the absence of Madame CATALANI, but her timidity; and insufficiency in the Italian language, was the cause of my declining the engagement.—These are facts which can easily be proved, by referring to the musical profession, and those who witnessed her performances. I have never received any thing resulting from her engagements; this I freely give up; but I cannot deprive myself of the character of having been her singing master for five years.—I am, Sir, your very humble servant, GESUALDO LANZA.

23, *Foley-place*, *Portland Chapel*.

PARLIAMENTARY CRITICISM.

Dica pur quanto sà rancor severo:
Contro le sue saette ho doppio usbergo;
Non conosco interesse e son sincero.
Non ha l'invidia nel mio petto albergo;
Solo zelo lo stil m'adatta in mano;
E per util comune i fogli vergo.
3. Sat. SALVAT. ROS.

MR. C. W. WYNNE AND MR. BANKES.

I have associated these gentlemen, not so much for any strong resemblance to each other in their individual qualities, as because they both, influenced no doubt by sufficiently powerful motives, but at any rate unembarrassed with the inconsistently uniform slavery of party, dare to maintain a tolerably independent aspect, and to avow sentiments which probably are entirely their own. It must not be imagined that I intend to designate these respectable persons as very stern patriots, as the HAMPDENS or SIDNEYS of their day—examples which, I suppose, they would no more think of following, than of devoting themselves, like SCÆVOLA or CURTIUS, or any other of those heroes, who, it is to be feared, are now admired chiefly by schoolboys. Though nothing of this must be expected, yet the contemplation of two quiet characters may be some refreshment to those who are wearied, on the one side, with office, ever bustling, prattling, and smirking, and, on the other, with opposition always ill-humoured, malignant, and pretending to be the sole proprietary of all the virtue and wisdom extant.

To begin with Mr. WYNNE: it would in some respects be an advantage to this gentleman not to be heard, but only to be read: the soundness * and honesty * of his opinions excite a high respect for his person, which however may be diminished among superficial observers, when they witness his ungraceful and almost absurd delivery. His face, when he speaks, is as full of creases "as a wet cloak ill laid up:" it looks as if all the acids of nature had conspired to crisp its wrinkles. His voice is a child's treble, occasionally deepened, for the sake of dignity, into a sort of roar. The impression is quite ludicrous to those who do not know him: to those who do, it is painful, because they lament to observe very good sense not only weakened in its effect, but even rendered disagreeable, by the discordant tones † in which it is uttered. I should not have thought this defect, strange and striking as it is, worthy the least notice, except for the unaccountable circumstance, that Mr. WYNNE himself seems utterly unaware of it, and holds himself out, in the most marked and obtrusive manner, as a candidate for the Speaker's chair,—a place to which an imposing voice seems at least as essential as the flowing wig. A call to "order" from him must be almost a signal to laugh: and on disorderly occasions, when the Irish and Country Gentlemen, well warmed with BELLAMY'S * claret, begin, at five o'clock in the morning, to shout for the question, when chaos seems come again, and the House "scarce holds the wild uproar,"—when even the solemn importance and skilful precision of the present Speaker's tones are lost in the tumult;—at such a time what would become of Mr. WYNNE'S tiny articulations? Where a wolf might howl unheard, is a grasshopper likely to arrest the attention?—Having, however, stated this disqualification of Mr. WYNNE for the object of his pursuit (and it appears to me not entirely unimportant), I will most cheerfully allow, that in every other respect he is the fittest Member to succeed the present Chairman. To an acute and well-judging understanding, he adds a large portion of that peculiar knowledge which is necessary to direct the proceedings and decide the doubts of the House: there is a straight-forward integrity in his conduct, which is calculated to inspire the utmost confidence, and a liberality and justness of thinking which will be a security against the operation of petty alarms and imaginary dangers. This last is even a more useful quality in a President than honesty itself, for without an enlarged mind a mere good man must ever be at the mercy of the plausible cunning of others, or of his own short-sighted timidity. In this quality Mr. WYNNE will have the advantage over the present Speaker, whose worthy intentions are unfortunately limited by the narrow range of his intellect. In other respects there are strong points of similarity about them: the same industry, the same learning, the same courtesy, the same desire to act right, and the same unyielding steadiness to support the dignity and privileges of the House: in short, if ever this aspirant should come to the Chair, it will be found, that, in almost every thing except voice, "CHARLES the Second reigns like CHARLES the First." I have almost taken it for granted that Mr. WYNNE will be successful in the object of his ambition, which he pursues with such continued ardour. Every word he utters seems directed to this end; he stands like a personification of Hatsell's Precedents: and from the oracular seat of his memory, shews how nothing is new in the House of Commons, except the impunity with which great delinquents insult the sacred face of justice. Besides, he does not seem likely to have a competitor, except perhaps in the person of Mr. DAVIES GIDDY, who has a sort of shambling, slovenly knowledge of precedents, picked up in Committees above stairs: but, if the House have any self-respect, they will never prefer the shuffling indecision of such a character as Mr. GIDDY, to the honest manliness of Mr. WYNNE: who, indeed, on several occasions, has evinced a very noble firmness. To mention no other instances, one ought not to forget his efforts to bring the Duke of CUMBERLAND before the proper tribunal, when a timid Committee had shrunk from its duty: nor, what perhaps is better, his enlisting with the small but inde-

* These words ought to be synonymous, but somehow it is usual to give them distinct significations, out of compliment perhaps to Machiavellians and men of the world.

† Mr. WYNNE'S brother, Sir WATKIN, is as remarkable for the grumbling, indistinct, smothered rumbling of his voice: the brothers are known in the House by the name of "Bubble and Squeak."

* The Coffee-house keeper of the House of Commons.

pendent minority, which pronounced a verdict of Guilty on the Duke of York. Mr. Wynne might perhaps feel with Mr. Windham, and what every gentleman must feel, that he would rather have been the Duke than the accuser on that occasion, because human frailty is more pardonable than base, unmanly artifice: but he scorned to shelter himself under this fair-seeming plea, when he was called upon to declare his solemn sentiments on a question of fact. He knew what all should have known, that the infamy of the informer could weigh nothing against well-proved circumstances. This honest conduct alone deserves the Chair. I confess I have some partiality for this gentleman, who is a lawyer without the pedantry or servility of his profession; who, having proposed to himself a very honourable object of pursuit, disdains to further his wishes by an obsequious accommodation to the views of party, or a politic reservation of even his boldest opinions.

I do not feel the same partiality for Mr. Bankes, who is indeed rather a distasteful Gentleman. He belongs to a very distasteful party, being for general purposes a kind of leader of the Saints in the House of Commons. This holy band consists of somewhat more than a dozen persons of that description which is usually called Methodistical: but it is not my intention to quarrel with their religious opinions, towards which indeed I feel some kindness; for after all Religion should have some enthusiasm about it, and ought not to be chained down to the rules of *Cocker's Arithmetic*. It is their political conduct which I dislike: an affectation of candour which smiles equally on the opposing views of contending parties, though they may be as adverse as truth and falsehood: a perpetual oscillation between the right and the expedient, with at the same time the correctest notion of the abstract excellence of the one, and the humble hope that it may give way without injury, once at least, to the local propriety of the other. These traits, together with a whining, coxcomical parade about pure motives, perfect disinterestedness, and the general good, are the ingredient characteristics which distinguish this body of men; and of these Mr Bankes is the Chief. He is not however the best of his party. Mr. H. Thornton has at least three times more knowledge, Mr. Grant ten times more penetration, and Mr. Wilberforce incalculably more eloquence and address. On the whole, however, he is not a bad leader: he is sufficiently plausible and is tolerably good-humoured: he has some fluency and a good deal of industry; and above all, can adopt that apparently unconscious solemnity which, to the uninitiated, appears to elevate a subject without intending it, and gives to a mere party or personal design all the imposing attitude and aspect of a great national object. In all the pomp and circumstance of speech, the measured utterance, the unfamiliar cadence, and the unvaried gravity of manner, he is hardly inferior to Mr. Canning himself, though I am not disposed to compare the scanty mind of Mr. Bankes with the considerable acquirements of Mr. Canning: yet each of these Gentlemen in a different degree is aware, that assumed superiority of understanding, like an usurped tyranny, must not be approached too nearly. And no barrier appears so effectual as the affectation of profundity and slow deliberation. Mr. Bankes however, as to mere delivery, is not so pompous as Mr. Canning, for his voice is thin and of small compass: though however it cannot strike the ear by sonorous impulse, it takes a faster hold of that organ by a lingering insinuation: in a word, it is a complete whine, which one is astonished to meet out of the precincts of a conventicle. An ingenious but morbidly fanciful poet, who is also a * Methodist, says of Adam: that there was

> "In his speech
> A dialect of Heaven no art could reach."

Whether this be an elevated or a childish idea, I shall not now stop to determine: but it serves as a clue to develope the reason for that strange, unnatural style of enunciation adopted by a certain class of Religionists, who it is now evident think that their modulation, if it resemble nothing on earth, must be perfectly celestial, as (to compare great things with small) a fustian poetaster conceits that he is writing poetry because he is not writing plain prose. I have before said that this gentleman evinces some independence in his public conduct: he certainly is not the tool of administration: much less is he the obsequious partisan of opposition. The best parts of his conduct are his efforts to reform the expenditure, which though weak and not remarkably consistent, appear at least to have been well-intentioned. On the subject of economy, indeed, he is a thorn of some sharpness in the side of a Minister, but I do not recollect any strenuous opposition on any other measures which Government has ever been anxious to carry. A Minister may gag the press, or keep the Catholics chained with impunity, but woe to him if a shilling too much be expended in a bargain for tar or a building-contract. It is hardly necessary to say, that in the present ruined condition of the finances of this country, economy should be the primary object with every statesman: I blame the small pedantry which thinks it the only one, and which, fortified by a few scraps from Mr. Burke, and dignified by having presided over a Committee of Finance, prates of price as the sole criterion in every bargain or transaction, as if utility and national honour should never make a standard vary. Indeed, Mr. Bankes presumes too much on this head: for his plans of reformation have but little tendency to effect their proposed aim. His Bill for the Abolition of Sinecures and Reversions has a pretty sound with it; but what other merit can be ascribed to a measure which, while it was nominally removing a grievance, in fact would have aggravated it with double intensity, by its substitution of pensions to reward the exalted merits of servants of the Crown. I call it doubly expensive, because by the present vile scheme of reversions a possessor and an expectant are fed with the same single bribe, while

* I do not use this term contemptuously, but merely as the one most generally known to designate a sect who profess the more mystic and sublime doctrines of Christianity.

the viler pension-plan would be compelled to apply distinct and separate baits.

On the whole, neither side of the House is very anxious for the support of Mr. Bankes, unless the contest for votes is very close: they seem to think of him what *Falstaff* says of *Mrs. Quickly*: "that he is an otter: neither fish nor flesh: a man knows not where to have him." He certainly is a man who considerably over-rates himself, because perhaps his self-importance and complacency are not much disturbed by the House; except that now and then his very provoking candour stimulates Mr. Whitbread to push aside, somewhat rudely, the flimsy mask which looks all ways and smiles on all, without cheering any. Criticus.

SOLDIER'S LETTERS.

Sir,—In your paper of the 19th September, I saw some remarks upon the Act of Parliament relating to the right of Soldier's Letters being received free of expence, and I beg to submit to you the following circumstance, which came within my own knowledge:—The wife of a soldier in the 92d Regiment received last week two letters from her husband at the same time, one dated from the British Camp in the Pyrenean Mountains, 11th July, and the other from the frontiers of France the 7th August; the first signed by Major Leeson, and the last by Capt. Seaton, who succeeded to the command of the Regiment after the battle of Vittoria: the one signed by Major Leeson was stamped "Free;" the other signed by Captain Seaton "Not according to the Act:" and this poor woman, who is herself in bad health, and has an aged mother and three small children to maintain, was obliged, out of her hard earnings, to pay 2*s.* 5*d.* for this letter, which informed her that her husband had been wounded with his master, Capt. Seaton, in the battles of the 29th, 30th, and 31st of July, and that the wreck of his Regiment, which, when it entered Spain, was 1100 strong, could now muster only 200 men, many of whom were severely wounded. It is certainly desirable that the soldiers of our army should be informed of the Act, that they might get their letters properly franked; at the same time it behoves the British nation to endeavour to secure to these poor people every possible privilege. The husband of this woman has been spending his blood in his country's service for these last 20 years, and his wife is at this time as fit an object of charity as any person in his Majesty's dominions.—The writer of this paper found her and her family, two years ago, living in a wretched room, in Stratford Le Bow, in weak health, owing to their having subsisted upon boiled Windsor beans and a little salt for three weeks; and as she did not happen to be an English woman, could obtain no parish relief. James M——n.

Tottenham, Sept. 25, 1813.

COMMISSIONER OF BANKRUPTS.

[In giving insertion to the following letter, we have no wish to hurt the feelings of any body, and think we can answer for our Correspondent, from the tone of his writing, that he has as little. But publicity is the only cure for these matters, and the want of feeling is on the part of those who subject their friends and the government to unpleasant remarks. It is for their eyes that the publication is intended. If the gentleman in question has grown infirm in his office, and would be materially injured in his finances by quitting it, let him be allowed to retire on a proper pension; but do not let the public service be mocked, and one's better sympathies outraged, by this wretched trifling with the discharge of business.]

London, Sept. 29, 1813.

Mr. Examiner,—About a month ago, some business led me to Guildhall, and just as I approached the gates, a hackney-coach drove up. With great exertion, and the aid of his footman, an old gentleman got out. Imagine to yourself an infirm old man, one side of his face distorted by paralysis—his weak legs swollen almost to bursting—his arms useless—and his whole frame indicating early dissolution.—My mind was impressed with pity;—perhaps, said I to myself, some thoughtless or unfortunate son—some friend whom early confidence had induced him to assist—has felt the pressure of the times, and he is going to prove a debt; and that sort of sympathy, which is one of the better parts of our nature, had its full effect upon me.

I passed on to the 5th list where my business led me: the servant conducted him there; and Mr. Commissioner Reeves, whose urbanity is well known, rose from his seat to welcome the old gentleman, with "how d'ye do, Brother?" and he was put to the head of the table. A chair was placed under him, into which he was gradually lowered, and the servant placed each of his arms upon the table.—Two Commissions were the business before this gentleman and Mr. Reeves. The poor old gentleman tried to speak, but the power of articulating was impeded by disease; and the only faculty he appeared to enjoy was to take two Pound Notes, which, for his pains, seemed to be the recompense, and the servant wrapped them up, and put them in his Master's pocket; then conducting him to the coach again, and I know no more of the transaction.

Sir, I make no comment upon this mode of conducting public business; its publicity may occasion a remedy. You may conceive the change of sensation I felt upon seeing this "*hominis umbra*" take his seat as a Commissioner.—Very sincerely, Sir, your's, Veritas.

THE BAKERS' REMONSTRANCE.

On Monday a deputation of five or six of the principal Bakers waited on Lord Sidmouth, and stated to his Lordship the apprehensions which they entertained from the unjust aspersions which were daily thrown on the trade, and the prejudice thereby excited against them personally. They represented their situation as every way distressing, since they were bound down to an excise, which leaves to the fair trader a profit so small as to be unexampled in any other trade or calling in the kingdom; and at the same time they were threatened by the Chief Magistrate to have their excise settled by the price of wheat, an article in which they did not deal, and over the price of which they had no controul. For every trespass and for every misdemeanour committed by any one individual in the trade, there were adequate laws in the hands of the police Magistrates, to punish him; instead of which, there seemed to be a cruel and most dangerous design of raising a hue and cry against the whole body in a mass, as if they were all corruptly and wickedly engaged in fraudulent artifices to

enhance the price of bread.—The Noble Lord expressed his abhorrence at the base and vulgar attempts, which he owned he had seen in quarters, where a better sense of duty to the public peace ought to have prevailed. He believed that a more industrious body of men did not exist than the generality of the Bakers, and he lamented that they were so ill requited for their labour.—They represented to his Lordship that considerable danger was to be apprehended to the peace of the Metropolis, if the assize of bread should be actually set by the price of wheat, because they could not continue to supply their customers if a measure so oppressive should be attempted. Lord Sidmouth said, it was impossible for Government to interfere with the Magistrate whose duty it was to set the assize; but recommended them to represent the real circumstances of their situation to the Lord Mayor. He thanked them for the communication they had made, and assured them that he should take care to provide for the peace of the Metropolis.

In the evening of the same day there was a Meeting of Master Bakers at the Crown and Anchor Tavern, which was attended by between six and seven hundred of the most respectable part of the body. The Chair was taken by Mr. Barron, when they came to several resolutions. On Tuesday a deputation of them waited on the Lord Mayor and made to him the same statement which they had laid before the Secretary of State. They represented that they had no means of contracting the price of flour—that they were not dealers in wheat—that they could not force down the price—nor could they be forced to carry on their trade to the certain and inevitable ruin of their families, which would be the case if the assize were to be set by the price of wheat instead of the price of flour. The cause of the temporary difference was well known to be a thing with which the bakers had nothing to do. There was a scarcity of flour in consequence of the shortness of water at this season for grinding; but certainly if the assize of bread had been through the course of his Lordship's mayoralty set by the price of wheat instead of the price of flour, the quartern loaf would have been 20¾d. during the most pinching season of the year.—The Lord Mayor said he was resolved to make the trial, however, of setting it by the price of wheat—the time was favourable for the experiment: potatoes and vegetables were plentiful, and it was better to do it now than at Christmas.—They answered, that they would not be able to supply their customers, and that he must be responsible for the peace of the City. He replied, that he would take all the consequences on his own head. The Master and Wardens of the Bakers' Company, attended by their clerk, Mr. Smith, then waited on his Lordship to get the assize set. The Lord Mayor declared his determination to set it by the price of wheat; they reasoned with him on the hardship, and said they would be incapable of supplying the metropolis with bread. He said he had not time to reason with them, as he must attend the Court of Aldermen. Mr. Smith then gave him formal notice that it was contrary to law, and that they could not comply with such an assize.—"What," he said, "was it contrary to law, when the Statute gave him the option?" They said it was contrary to the law as regulated and acted upon by the rule of rules in his Court.—In consequence of this, and because he was pressed for time, he adjourned the further consideration of the matter till three o'clock in the afternoon. He then proceeded to Guildhall, and here his Lordship consulted the Law Officers of the City as to the interpretation of the Statute, and whether the assize so set would be binding on the bakers. He then fixed the assize of bread by the average price of *flour*.

It thus appears, that his Lordship has changed his determination; so that if he was right in his former proceedings, he must be wrong in his abandonment of them.—We hope that the Aldermen at large will look a little into this matter, and not leave every thing to the discretion of Mr. Scholey, of which we certainly cannot have a very high opinion.—With the best intentions, a weak man may do a deal of mischief; but if a desire prevails to snatch a little civic popularity, all moderation is lost sight of in the attempt.—While the law ordains that the price of bread should be fixed, the Lord Mayor must fulfil his office; but as we believe that all such laws, when they interfere with the common necessaries of life, are injurious rather than useful, we hope to see the day when they will be entirely swept away.—It is notorious, that in towns where the market is open, and no assize is fixed, bread is both cheaper and better than where the practice prevails.—It seems to us altogether impossible that a general combination could take place among such a body as the bakers; and if a competition in the sale of bread was suffered, as it is in almost every other article, there would always be a sufficient number of them who would feel it their *interest* to be honest, and to vend it at the lowest possible profit.—As it is, we do not find that bakers in general get more money than other tradesmen: their occupation, however, is a very fatiguing one: they have neither night nor day at their disposal, and are always subject, in times of scarcity, to low abuse and vulgar clamour.

EXECUTION OF CRIMINALS.

The various accidents which so frequently arise in the execution of criminals in this country, as well as the extreme sufferings of the offenders even when nothing occurs to lengthen out their miseries, induce one to think that a better mode of punishment might be introduced, by which the law would be as effectually carried into execution, the wretched sufferers relieved from unnecessary tortures, and people of humanity saved many an uneasy sensation.—Some of our readers, perhaps, were struck with the account, in last week's paper, of an execution at Carlisle, where a poor wretch, named *M'Crory*, suffered death for a burglary. The rope by which he was suspended having given way, he fell into the street and broke his leg; before another cord could be procured and the sufferer again suspended, a period of half an hour elapsed; and even then a strand of the second rope failed, and another scene of horror was apprehended; which fortunately, however, did not take place.

Let any body imagine the dreadful condition of this unhappy man, during this lengthened period of half an hour—his whole frame convulsed, his limb fractured, his tortures both of body and mind every way accumulated—and the picture will be almost too horrid to dwell upon.—But this, it will be said, is an uncommon case:—it certainly is not an every week's occurrence, yet such accidents, as they are called, have happened of late much too often, to be passed over in silence. Negligence on such occasions is a crime. In the present instance, we do not exactly

know on whom the blame should rest; but it is evidently the duty of those who superintend these things,—the Sheriffs, we presume—to take especial care to prevent such appalling scenes in future.

But even when no such accidents arise, and every thing proceeds in the customary way, such is the natural consequence of the mode of punishment, that if the rope, as we are informed, be not fastened in a peculiar manner, or if the sufferer be a person of light weight, a sight of extreme horror is sure to follow the suspension of the wretched criminal.—At the late executions at the Old Bailey, *Denton*, it seems, apparently suffered little, but *Leary* was observed to be a full quarter of an hour in convulsive agonies!—Both of these men were indeed murderers, and *Leary's* crime was of the foulest description: but the end of the law, we presume, is simply to cut off the offender from society, and not to add *torture* to the punishment of death. By this mode of hanging, however, in three cases out of six, torture is superadded; and what is worse, it depends on a mere accidental circumstance, that the lesser criminal does not suffer a more exquisite punishment than the greater.—In the cases before cited, *M'Crory*, who had only committed a burglary, suffered a lingering and altogether barbarous death, while *Denton*, the murderer, was out of his misery in a few seconds.

In a country, too, where life is held scandalously cheap—where *death* is the common doom of the sheep-stealer, the forgerer, and the murderer—where the man who steals a horse, and the wretch who deprives his parent of life, meet exactly the same fate—it seems at least but common humanity that the unhappy criminal should be dismissed into eternity with the least possible pain.—We know that a prejudice prevails in this country against witnessing the shedding of blood; and if the feelings of the *spectators* of an execution be alone consulted, perhaps of the two modes—hanging and decapitation—the former may be the less shocking. A little reflection, however, will convince any one, that between an instant death, and one of ten minutes duration, or even longer, there can be no sort of comparison in point of suffering: and we cannot, therefore, hesitate a moment in recommending that the practice in this country be abolished, and that used in France be adopted in its stead.

By some persons, we are aware, the very name of the *Guillotine* will be heard with a sort of horror; and for recommending a mode of punishment invented and practiced by an enemy, we shall run the risk of being denominated jacobins, if not atheists. All this and much more of the sort we can well endure: but while it is manifest to every one, that in the use of this instrument of death, it is hardly possible that accidents can occur to increase the miseries of the sufferer—while by it every criminal meriting loss of life suffers in an exact proportion—and while it inflicts the least possible pain in the performance of the awful office—we cannot but think that its adoption would be a great improvement of our criminal system, and do honour to those by whom it was effected.

ACCIDENTS, OFFENCES, &c.

The following inquest was held at the London Hospital on Wednesday, on the body of a respectable woman, the widow of a naval officer, residing in the neighbourhood of Wellclose-square.—It appeared in evidence, that the deceased came home the preceding evening, when she had occasion to strike a light in a tinder-box. She applied a brimstone match, from which a drop fell on her cloaths, and these instantly taking fire, burnt with great fury until almost entirely consumed. This unfortunate lady being severely scorched, was immediately conveyed to the London Hospital, where she died—Verdict, *Accidental Death*.

Saturday se'nnight the house of Mr. Forster of Seymour-place was broken into and robbed of plate and other valuable articles. The family had retired to rest at an early hour, and about the middle of the night they were alarmed by a tremendous crash, as if proceeding from the fall of plate; some of the family, after arming themselves, proceeded to the apartment from which the noise came, but found the room stripped of every portable article. The front door had been opened by means of a skeleton key.

PILLORY.—*W. Cohen*, who, with his wife, was convicted at the last Sessions for keeping a disorderly house in Union-street, Shadwell, was, on Saturday week, exposed in the pillory opposite Old Gravel-lane. It was with no small difficulty the Officers could restrain the fury of the populace.—Some of the light fingered tribe had contrived, during the exhibition, to ease a poor invalid sailor of his discharge, and 10*l.* in notes.

BIRTH.

On Friday the 24th ult. the Lady of Frederick George Syms, Esq. Parliament-street, Westminster, of a daughter.

MARRIAGES.

At the Cathedral Church of Fers, James Boyd, Esq. of Rosslare, Wexford, to Georgina, second daughter of the late Hon. George Jocelyn, and niece to the Right Hon. the Earl of Roden.

Lately, at Mary-le-bone Church, the Rev. Charles Spencer, of Great Marlborough-street, to Amelia, eldest daughter of Sir Wm. Beechey, of Harley-street.

On the 10th ult. the Rev. James Spencer Knox, eldest son of the Bishop of Derry, to Miss Clara Beresford, the sister and ward of Lady Hill, and youngest daughter of the late Right Hon. John Beresford. The ceremony was performed by her cousin, Lord John Beresford, Bishop of Raphoe, in presence of a numerous assemblage of their respective relatives.

Robert Newman, Esq. Guildhall, son of William Lewis Newman, Esq. City Solicitor, to Miss Chamberlaine, eldest daughter of Mr. Wm. Chamberlaine, Surgeon, of Aylesbury-street.

DEATHS.

On the 14th ult. at Roperhouse, Allendale, Mr. Thomas Harrison, blacksmith, aged 94. He left off working at his laborious employment only 10 months ago.

On the 19th instant, at Berwick, the Rev. A Thompson, of Shaw's Lane meeting-house, aged 65. He was half stripped near the pier, on the preceding day, with an intention to bathe, when he was seized with an apoplectic fit, and never spoke more.

Wednesday week, at Kendal, Mrs. Martha Baldwin, aged 91, niece to Dr. Shaw, the celebrated traveller.

Wednesday week, aged 70, soon after retiring to bed, Mr. George Porritt, of Whitby.

On the 13th ult. suddenly, of a spasm in his stomach, at Lincoln, on his way to London, Thomas Cochrane, M. D. of Edinburgh.

On Friday week, Mr. George Phillips, many years an eminent chinaman, in Oxford-street.

Thursday morning, at the Police Office, Hatton-garden, Mr. James Marchant, one of the clerks of that office.

Lately, near Waterford, Miss Chetwynd, niece to the late Lord Chetwynd.

Printed and published by JOHN HUNT, at the EXAMINER Office, 21, Maiden-Lane, Covent-Garden.—Price 9½*d.*